IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.5972 OF 2006

Bansilal K. Choudhari .... Petitioner
Vs.
Presiding Officer,
School Tribunal, Pune
Region & Ors. .... Respondents

Shri Chandrakant Bidkar for the Petitioner.

CORAM: R.M.S. KHANDEPARKAR, J.

DATED: NOVEMBER 16, 2006

P.C:

Heard. Though the learned Advocate for the petitioner is perfectly justified in contending that the impugned order does not disclose the necessary analysis of the materials on record to arrive at sufficiency of the cause for condonation of delay, since the Court below does not seem to have exercised its discretion arbitrarily and has condoned the delay giving opportunity to the parties to contest the proceedings on merits, I do not find it a case fit for interference in writ jurisdiction under Article 227 of the Constitution of India. It is, however, needless to say that the Courts below while condoning the delay should analyse the materials on record which could disclose sufficient cause for condonation of delay as such analysis would benefit the High Court while considering whether the

discretion has been exercised judiciously or not. In the case in hand, however, considering all the other materials on record, I do not find the discretion having been exercised arbitrarily. In this view of the matter, therefore, with the above observations, the petition is rejected.

(R.M.S. Khandeparkar, J.)

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